

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew V. Smith (Reg. No. 43,132) on 3/13/09.

The application has been amended as follows:

Claim 7:

In line 1, replace "pose normalizing" with "normalization module". The amended lines 1 and 2 will appear as follows with deletions indicated by ~~striketrough~~ and addition indicated by underline:

"The system of claim 26, wherein the ~~pose-normalizing~~ normalization module comprises:"

Claim 10:

Cancel claim 10.

Claim 15:

Cancel claim 15.

Claim 18:

In line 1, replace "15" with "22".

Claim 19:

In line 1, replace "15" with "22".

Claim 27:

In line 1, replace "15" with "22".

Claim 62:

In line 27, the last line of the claim, after -- "gabor transform components" -- and before -- "." -- insert -- ", wherein the set of classifier parameters may be subdivided into two or more subsets of face classifier parameters wherein each subset facilitates a particular step of the comparing and determining a match of said set of face classifier parameters with a previously determined known identity" --. The amended line 27 and following lines will appear as follows with additions indicated by underline:

"gabor transform components,
wherein the set of classifier parameters may be subdivided into two or more subsets of face classifier parameters wherein each subset facilitates a particular step of the comparing and determining a match of said set of face classifier parameters with a previously determined known identity."

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Claim 64:

Cancel claim 64.

Claim 65:

In line 1, replace “64” with “62”.

Claim 79:

In line 26, replace -- “the first faceprint” -- with -- “a first faceprint” --.

Claim 122:

Cancel claim 122.

Claim 129:

Cancel claim 129.

Claim 130:

In line 1, replace “129” with “135”.

Claim 132:

Cancel claim 132.

Claim 133:

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In line 1, replace “132” with “135”.

Claim 134:

Cancel claim 134.

Claim 135:

In line 3, after -- “comprising” -- and before -- “:” -- insert -- “, using a processor to perform the steps of:” --. The amended line 3 will appear as follows with additions indicated by underline:

“device, comprising, using a processor to perform the steps of:”

Claim 136:

In line 3, after -- “comprising” -- and before -- “:” -- insert -- “, using a processor to perform the steps of:” --. The amended line 3 will appear as follows with additions indicated by underline:

“device, comprising, using a processor to perform the steps of:”

Claim 137:

In line 3, after -- “comprising” -- and before -- “:” -- insert -- “, using a processor to perform the steps of:” --. The amended line 3 will appear as follows with additions indicated by underline:

“device, comprising, using a processor to perform the steps of:”

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In line 24, replace -- “the first faceprint” -- with -- “a first faceprint” --.

In line 25, the last line of the claim, after -- “identity match” -- and before -- “.” --

Insert -- “, wherein a predetermined proximity threshold comprises a first threshold, and the determining comprises confirming whether the normalized face region associated with the new faceprint corresponds to a known identity when a geometric distance proximity is outside the first threshold and within a second threshold greater than the first threshold” --. The amended line 25 and following lines will appear as follows with additions indicated by underline:

“a same known identity each result in a determination of an identity match,
 wherein a predetermined proximity threshold comprises a first threshold, and the
determining by the workflow module comprises confirming whether the normalized face region
associated with the new faceprint corresponds to a known identity when a geometric distance
proximity is outside the first threshold and within a second threshold greater than the first
threshold.”

Claim 138:

Claim 138 has been amended as follows with deletions indicated by ~~strike through~~ and additions indicated by underline:

138. ~~The method of claim 129,~~ A method for classifying and archiving images including
face regions that are acquired with an image acquisition device, comprising, using a processor to
perform the steps of:

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(a) generating a normalized face region from an identified face region within digital image data acquired by the acquisition device;

(b) automatically extracting a set of face classifier parameter values, collectively referred to as a faceprint, from the normalized face region;

(c) automatically comparing said extracted faceprint to a database of archived faceprints previously determined to correspond to one or more known identities;

(d) determining based on the comparing whether a new faceprint corresponds to any of the one or more known identities; and

(e) associating the new faceprint with a new or known identity within a database comprising other data corresponding to the archived faceprints and associated parent images for performing further comparisons with further faceprints, to permit data corresponding to the new faceprint and its associated parent image to be archived according to the associating by the workflow module within one or more digital data, storage media, and

wherein one or more archived faceprints have been previously determined to correspond to the one or more known identities, and the comparing comprises determining proximities of the values of the face classifier parameters of the new face print image with values corresponding to the one or more archived faceprints, and

wherein the determining comprises requesting user confirmation whether the new faceprint corresponds to a known identity when comparisons of the face classifier parameter values of ~~the~~ a first faceprint with multiple archived faceprints corresponds to a same known identity result in at least one determination of an identity match and at least one determination that the identities do not match.

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Claim 139:

Delete the existing version of claim 139 and replace it with the following:

“139. The method of claim 137, wherein the determining comprises requesting user confirmation whether the new face print image corresponds to one or more known identities when comparisons of the face classifier parameter values of the new faceprint with multiple archived faceprints corresponding to multiple known identities result in determinations of identity matches with at least two different identities.”

Claim 159:

In line 3, replace -- “the new face class” -- with -- “a new face class” --.

DETAILED ACTION

1. This action is responsive to papers filed on 2/11/09.

Response to Amendment

2. In response to applicant's amendment received on 2/11/09, all requested changes to the claims have been entered. Claims 1, 67 and 128 have been cancelled.

Terminal Disclaimer

3. The terminal disclaimers filed on 1/9/09 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of application numbers 10/764274, 10/764336 and 10/764339 have been reviewed and is accepted. The terminal disclaimer has been recorded. The terminal disclaimers filed on 2/11/09 are duplicates of those filed on 1/9/09 that have already been reviewed and accepted.

Allowable Subject Matter

4. Claims 2-9, 11-14, 16-63, 65, 66, 68-121, 123-127, 130, 131, 133 and 135-167 are allowed.

The following is an examiner's statement of reasons for allowance:

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5. The subject matter of the previously dependent claims 22, 26, 64, 75, 79, 112, 135, 136 and 138, as found in the papers filed on 1/22/04, which were indicated, by the lack of a prior art rejection, as allowable subject matter in the office action mailed on 9/25/08, have been added to the subject matter of independent claims, including any intervening claims, and as a result all the claims are now in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AARON W. CARTER whose telephone number is (571)272-7445. The examiner can normally be reached on 8am - 4:30 am (Mon. - Fri.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on (571) 272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron W Carter/

Primary Examiner, Art Unit 2624